

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

<p>Michelle Mellema,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>Washoe County, Nevada,</p> <p style="text-align: right;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>3:08-cv-00278-RCJ-RAM</p> <p style="text-align: center;">MINUTE ORDER</p>
--	--	---

Currently before the Court is Defendant Washoe County's ("Washoe County") Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 4(m). Plaintiff Michelle Mellema ("Plaintiff") did not file an opposition in response to the motion.

On February 23, 2009, the Court entered an Order (#27) quashing the service of process attempted on Washoe County and providing Plaintiff with an additional opportunity to properly serve Washoe County. Plaintiff has not attempted any additional service on Washoe County.

Under Rule 4(m), if a defendant "is not served within 120 days after the complaint is filed, the court - on motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time." Fed. R. Civ. P. 4(m).

Because Plaintiff has not opposed Washoe County's motion, the Court finds that Washoe County is entitled to an order of dismissal pursuant to Rule 4(m).

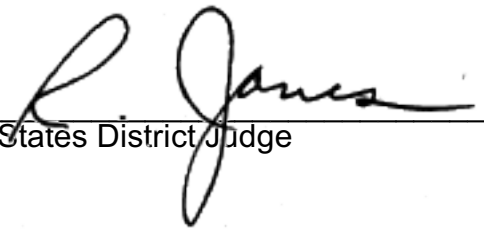
///

///

CONCLUSION

Based on the foregoing reasons, IT IS HEREBY ORDERED that Washoe County's Motion to Dismiss (#38) is GRANTED.

Dated this 21st day of September, 2010.


United States District Judge